


# PERMIT TO OPERATE A CLASS II MINOR AIR CONTAMINANT SOURCE

	<b>Lincoln-Lancaster County Health Department</b> Environmental Public Health Division Air Quality Program 3131 O Street Lincoln, Nebraska 68510-1514 Phone: (402) 441-8040      Fax: (402) 441-3890	<b>Patricia D. Lopez, RN, MSN</b> Health Director  <b>Scott E. Holmes, REHS, MS</b> Environmental Public Health Division Manager  <b>Gary R. Bergstrom, Jr.</b> Air Quality Program Supervisor
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<b>LLCHD Air Quality Program Source Number:</b>	<b>00XXX</b>
<b>Effective Duration of Permit:</b>	
<b>Effective Date:</b> <b>XX – XX – 2022</b> <small style="display: block; text-align: center;">MM-DD-YYYY</small>	<b>Expiration Date:</b> <b>XX – XX – 2027</b> <small style="display: block; text-align: center;">MM-DD-YYYY</small>

**A Permit to Operate a Class II Source is Hereby Issued to the Following:**

Permit Holder Name:	<b>SOURCE PERMIT HOLDER - NAME</b>
Address:	<b>PERMIT HOLDER ADDRESS</b>
City, State, ZIP:	<b>PERMIT HOLDER ADDRESS CONT.</b>

**This Permit is Issued for Operation of the Following Source:**

Facility Site Name:	<b>FACILITY NAME / UNIQUE IDENTIFIER</b>
Facility Address:	<b>FACILITY ADDRESS</b>
City, County, State, ZIP:	<b>FACILITY ADDRESS CONT.</b>
Facility NAICS:	<b>327320: Ready-Mix Concrete Manufacturing</b>

**Environmental Public Health Division / Air Quality Program Recommendation:**

<b>Permit Writer:</b>	<input type="checkbox"/> Approve Issuance <input type="checkbox"/> Deny Issuance	PERMIT WRITER APPROVAL
<b>Air Quality Program Supervisor:</b>	<input type="checkbox"/> Approve Issuance <input type="checkbox"/> Deny Issuance	SUPERVISOR APPROVAL
<b>Environmental Public Health Division Manager:</b>	<input type="checkbox"/> Approve Issuance <input type="checkbox"/> Deny Issuance	MANAGER APPROVAL

**Health Director / Air Pollution Control Officer Authorization:**

<b><u>ACTION TAKEN:</u></b>  <input type="checkbox"/> Approve Issuance  <input type="checkbox"/> Deny Issuance	_____ <b>Date</b>	_____ <b>Patricia D. Lopez, RN, MSN</b> <b>Health Director</b>
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### **Description of Permitting Action**

The source detailed on the previous page, an existing source, submitted an air quality operating permit application to renew their Class II operating permit for continued operation as a concrete batch source.

This operating permit is being renewed in accordance with the applicable provisions of Article 2, Section 12 of the Lincoln-Lancaster County Air Pollution Control Program Regulations and Standards (LLCAPCPRS), as well as all other applicable provisions of the LLCAPCPRS.

### **Permitted Source**

Operations covered by this general permit include typical industry activities associated with concrete batching plants. Common functions of concrete manufacturing include transport and mixing of raw materials with water and continued product movement of the ready mixed concrete. Raw materials often consist of crushed rock, gravel, fine/coarse aggregates, or sand. Receiving of materials is typically accomplished by truck and/or rail. On-site road networks for continued transport may be paved or unpaved. Storage elements may consist of elevated silos, belt conveyor or bucket elevator systems, and product draw/loading stations. Fugitive emission sources can include the transfer of raw materials and aggregate, truck loading, mixer loading, vehicle traffic, and wind erosion from sand and aggregate piles.

Primary emissions from concrete batch sources are typically particulate matter. Control devices regularly include fabric filters, or dust control through water sprays, enclosures, hoods, duct collection systems, curtains, or other physical covering options. Refer to **Attachment A** of this permit for a specific listing emission points and control elections associated with this source as submitted by the owner/operator in Section 6 of the approved application.

### **Insignificant Activities**

The source may operate insignificant activities, which are described in the instructions for Section 4, Insignificant Activities, of the operating permit renewal application. Insignificant activities may include diesel fuel storage tanks, space heaters, or propane or natural gas fired combustion units, such as boilers or other small combustion units, with a heat input capacity of less than eight (8) or ten (10) million British thermal units per hour (MMBtu/hr), respectively.

### **Permitting Action Regulatory Provisions**

This operating permit is being issued in accordance with the applicable provisions of Article 2, Section 5, 7, 9, 12, and 14 of the Lincoln-Lancaster County Health Department Air Pollution Control Program Regulations and Standards (LLCAPCPRS), as well as all other applicable provisions of the LLCAPCPRS. Compliance with this permit shall not be a defense to any enforcement action for violation(s) of an ambient air quality standard, or any other local, state, or Federal requirement.

### **Source Permit Classification**

Article 2, Section 5 of the LLCAPCPRS requires that significant sources of air pollutants apply for operating permits. Sources required to apply for Class II operating permits are those defined as a Class II source based on their potential to emit and sources subject to certain federal emission standards.

In accordance with Article 2, Section 9 of the LLCAPCPRS; the Director has determined that similar sources subject to the same regulatory requirements may apply for a general Class II operating permit.

This source has been operating as a Class II minor source under a General Operating Permit, and emission calculations contained within the approved application indicate that this source will remain a Class II source of air pollution because it has the potential to emit the following:

More than fifteen (15) tons per year but less than one hundred 100 tons per year particulate matter less than or equal to ten micrometers in diameter (PM<sub>10</sub>).

If the source has elected to operate and maintain one or more control devices in Section 6 of its general operating permit renewal application (Refer to **Attachment A**) in order to meet the PM<sub>10</sub> emissions limit, the source shall comply with control device requirements is incorporated into the conditions of this permit.

### **Facility Regulatory Classification**

- The source is an 'area source' of hazardous air pollutants (HAP) in accordance with the definition set forth under Article 2, Section 2, of the LLCAPCPRS.
- The source is a 'minor' source of criteria air pollutants in accordance with Article 2, Section 5, paragraph (A)(2)(a) of the LLCAPCPRS.
- This source is not subject to requirements under Appendix S of 40 CFR Part 51 (Emission Offset Interpretative Ruling).
- This source is not subject to requirements under 40 CFR Part 52, Subpart A §52.21 (Prevention of Significant Deterioration [PSD] of Air Quality).
- Emission units covered by this permit may be subject to requirements set forth under the New Source Performance Standards (NSPS) in 40 CFR Part 60. Refer to **Attachment B** of this permit for specific applicability of Federal Regulations.
- Emission units covered by this permit may be subject to National Emissions Standards for Hazardous Air Pollutants for Source Categories (Source Category NESHAPs) in Title 40, Part 63 of the Code of Federal Regulations (40 CFR 63). Refer to **Attachment B** of this permit for specific applicability of Federal Regulations.
- This source is not subject to requirements under 40 CFR Part 64 (Compliance Assurance Monitoring).
- This source may be subject to requirements under 40 CFR Part 68 (Chemical Accident Prevention Provisions). Refer to **Attachment B** of this permit for specific applicability of Federal Regulations.
- This source is subject to the requirements of 40 CFR Part 82 (Protection of Stratospheric Ozone).

### **Public Participation**

Pursuant to Article 2, Section 14 of the LLCAPCPRS, the public has been notified by prominent advertisement of this permit that approves the operation of an air contaminant source. The thirty (30) day comment period has elapsed, and all comments received have been addressed.

### **Permitting Authority**

Permitting authority for this project is the Air Quality Program in the Environmental Public Health Division of the Lincoln-Lancaster County Health Department (LLCHD). All documents related to applications for permits to operate any emissions unit or source shall be submitted to the LLCHD at the following address.

Lincoln-Lancaster County Health Department  
ATTN: Air Quality Program  
3131 'O' Street  
Lincoln, NE 68510-1514

### **Compliance Authorities**

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| <ul style="list-style-type: none"><li>• All documents related to compliance activities such as reports, tests, and notifications shall be submitted to the following:<br/><br/>Lincoln-Lancaster County Health Department<br/>ATTN: Air Quality Program<br/>3131 'O' Street<br/>Lincoln, NE 68510</li></ul> | <ul style="list-style-type: none"><li>• If required or requested by the EPA, the owner/operator shall submit reports, tests, and/or notifications to the following:<br/><br/>US EPA Region 7<br/>ECAD/AB–Nebraska Air Compliance Coordinator<br/>11201 Renner Blvd.<br/>Lenexa, KS 66219</li></ul> |
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### **Definitions**

Unless otherwise defined, or a different meaning is clearly required by context, the words and phrases, as used in this operating permit, the LLCAPCRS, and the related appendices shall have the meanings set forth in LLCAPCRS Article 2, Section 1 (Definitions).

**PERMIT CONDITIONS BEGIN ON FOLLOWING PAGE**

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**Regulations:**

- I. Applicable & Non-Applicable Regulations & Requirements.  
(A) The sections (§) of the LLCAPCPRS listed in Table 1-A are regulations that apply generally to this source category:

**Table 1-A: Applicable Regulations of the LLCAPCPRS**

<b>Article 1: Administration and Enforcement</b>	
§1	Intent
§2	Unlawful Acts – Permits Required
§3	Violations – Hearings – Orders
§4	Appeal Procedure
§5	Variance
§6	Annual Fees
§7	Compliance – Actions to Enforce – Penalties for Non-Compliance
§8	Procedure for Abatement
§9	Severability
<b>Article 2: Regulations and Standards</b>	
§1	Definitions
§5	Operating Permits – When Required
§6	Emissions Reporting – When Required
§7	Operating Permits – Application
§8	Operating Permits – Content
§9	General Operating Permits for Class I and II Sources
§11	Emergency Operating Permits – Defense
§12	Operating Permit Renewal and Expiration
§14	Permits – Public Participation
§15	Operating Permit Modifications – Reopening for Cause
§16	Stack Heights – Good Engineering Practice (GEP)
§17	Construction Permits – When Required
§20	Particulate Emissions – Limitations and Standards
§28	Hazardous Air Pollutants – MACT Emission Standards
§29	Operating Permit Emission Fees
§32	Dust – Duty to Prevent Escape Of
§33	Compliance – Time Schedule For
§34	Emission Sources – Testing – Monitoring
§35	Compliance – Exceptions Due to Startup Shutdown or Malfunction
§36	Control Regulations – Circumvention – When Excepted
§37	Compliance – Responsibility of Owner/Operator Pending Review by Director
§38	Emergency Episodes – Occurrence and Control – Contingency Plans
<b>Appendices</b>	
I	Emergency Emission Reduction Regulations
II & III	Hazardous Air Pollutants (HAPs)

- (B) The regulations contained within the sections (§) of the LLCAPCPRS listed in Table 1-B do not apply to this source at the time issuance of this permit.

**Table 1-B: Non-Applicable Regulations of the LLCAPCPRS**

<b>Article 2: Regulations and Standards</b>	
§2	Major Sources – Defined
§4	Ambient Air Quality Standards
§10	Operating Pmts. for Temp. Sources & Notification of Relocation of Port. Equip.
§13	Class I Operating Permit – EPA Review – Affected States Review
§18	New Source Performance Standards (NSPS)
§19	Prevention of Significant Deterioration (PSD) of Air Quality
§21	Compliance Assurance Monitoring (CAM)
§22	Incinerator Emission Standards
§23	Hazardous Air Pollutants – Emission Standards
§24	Sulfur Compound Emissions – Existing Sources – Emission Standards
§25	Nitrogen Oxides – Emissions Standards for Existing Stationary Sources
§26	Acid Rain
§27	Hazardous Air Pollutants – Maximum Achievable Control Technology (MACT)
§3, §30, §31	Reserved

- (C) The Federal Regulations in Table 1-C below are requirements of this permit, including those not currently delegated to the LLCHD or not yet included in the LLCAPCPRS:

**Table 1-C: Applicable/Potentially Applicable Federal Regulations**

<b>40 CFR Part 61: National Emission Standards for Hazardous Air Pollutants (NESHAP)</b>	
<i>Subpart</i>	<i>Subpart Title</i>
A	General Provisions
M	Asbestos
<b>40 CFR Part 63: National Emission Standards for Hazardous Air Pollutants for Source Categories (Source Category NESHAPs)</b>	
<i>Subpart</i>	<i>Subpart Title</i>
A	General Provisions
CCCCC	Gasoline Dispensing Facilities at Area Sources
<b>40 CFR Part 82: Protection of the Stratospheric Ozone</b>	

- (D) The following Federal Regulations are not requirements of this permit:

**Table 1-D: Non-Applicable Federal Regulations**

<b>Regulation</b>	<b>Non-Applicable Subparts, Section(s), or Appendix</b>
40 CFR Part 51	Appendix S: Emission Offset Interpretive Ruling
40 CFR Part 52	Subpart A §52.21: Prevention of Significant Deterioration of Air Quality
40 CFR Part 60	Entire rule is non-applicable at the time of permit issuance
40 CFR Part 61	All subparts, except those listed as applicable in Table 1-C
40 CFR Part 63	All subparts, except Subparts B–E and those listed as applicable in Table 1-C
40 CFR Part 64	Entire rule is non-applicable at the time of permit issuance
40 CFR Part 68	Entire rule is non-applicable at the time of permit issuance
40 CFR Part 98	Entire rule is non-applicable at the time of permit issuance

(E) The following local ordinances/resolutions are requirements of this permit:

- (1) For sources located in the City of Lincoln, Nebraska, or in the 3-mile zoning jurisdiction surrounding the corporate limits of the City of Lincoln, the following ordinance shall apply:

**Table 1-E1: Applicable Lincoln Municipal Code (LMC) Chapter(s)**

Chapter	Chapter Title
8.06	Air Pollution

- (2) For sources located in Lancaster County, Nebraska but outside of the 3-mile zoning jurisdiction surrounding the corporate limits of the City of Lincoln, Nebraska, the following resolution shall apply:

**Table 1-E2: Applicable Lancaster County Resolution(s)**

Resolution #	Resolution Title
R-13-0073	Lancaster County Air Pollution Control Resolution

### **General Conditions**

- II. In accordance with paragraph (C) of LLCAPCPRS Article 1, Section 2 (Unlawful Acts – Permits Required), it is unlawful to:
- (A) Construct or operate an air pollution source without first obtaining a permit required under the LLCAPCPRS;
- (B) Violate any term or condition of this permit or any emission limit set in this permit; or
- (C) Violate any emission limit or standard established in the LLCAPCPRS.
- III. Violations, hearings, and orders shall be conducted in accordance with LLCAPCPRS Article 1, Section 3 (Violations – Hearings – Orders).
- IV. Appeals shall be conducted in accordance with LLCAPCPRS Article 1, Section 4 (Appeal Procedure).
- V. In accordance with LLCAPCPRS Article 1, Section 5 (Variance), any person who owns or is in control of any plant, building, structure, process, or equipment may apply to the Director for a variance from rules or regulations. Any person who is applying for, or has obtained a variance must comply with all applicable requirements of Article 1, Section 5 of the LLCAPCPRS.
- VI. The following provisions of LLCAPCPRS Article 1, Section 6 (Fees) are applicable requirements of this permit:
- (A) Paragraph A – This requirement applies to any person who owns or operates a source as defined in Article 2, Section 1 of the LLCAPCPRS and is required to obtain a Class I or Class II operating permit in accordance with Article 2, Section 5 of the Regulations and Standards.
- (B) Paragraph B – Owners or operators of sources identified in paragraph (A) of this condition shall pay an annual fee as required under Article 2, Section 29. The fee shall be based on the actual emission tonnage, up to and including 4,000 tons per year for each regulated pollutant, as established in the emission inventory for the previous calendar year (see Condition XI of this permit). For purposes of this section, a pollutant that may be regulated under more than one provision of LLCAPCPRS need only be counted once. The fee shall be determined in accordance with the Fee Schedule and definitions set forth under this requirement.
- (C) Any person subject to the requirements of LLCAPCPRS Article 2, Section 29 who fails to submit an annual emissions inventory report when required by Article 2, Section 6 of the LLCAPCPRS shall pay an annual emission fee based on the source's potential to emit as defined in Article 2, Section 1 of the LLCAPCPRS.



- (D) Paragraph D – Any person or source required to obtain a construction permit under Article 2, Section 17 (with the exception of a construction permit obtained in accordance with Article 2, Section 17, paragraph (O)) shall pay a permit fee for activities included under paragraphs (D)(1)(a) through (D)(1)(f) of Section 6. The permit fee shall be charged at the rate specified in paragraph (D)(1) of Section 6. Any person required to submit fees pursuant to Section 6 shall submit the fees to the Director of the Department by check or other authorized transfer payable to the Lincoln-Lancaster County Health Department. The fees shall be due and payable within thirty (30) days after issuance of the permit.
  - (E) Paragraph (H) – All money collected from the permit fees, and air quality service charges provided for herein, shall be payable to the Lincoln-Lancaster County Health Department and shall be credited to the Air Pollution Control Fund.
- VII. The following provisions of LLCAPCPRS Article 1, Section 7 (Compliance – Actions to Enforce – Penalties for Non-Compliance) are applicable requirements of this permit:
- (A) Paragraph (A) – The County Attorney or Attorney General may institute enforcement proceedings pursuant to Neb. Rev. Stat., §81-1504(23) Neb. Rev. Stat. §81-1508(4), or Nebr. Rev. Stat. §81-1528(2) against any person who fails to comply with the requirements of the LLCAPCPRS. Nothing in the LLCAPCPRS shall preclude the control of air pollution by resolution, ordinance, or rule, regulation, or standard not in actual conflict with the state air pollution control regulations. (Ref: Neb. Rev. Stat. §71-1631(15))
  - (B) Paragraph (B) – Any person who fails to comply with the requirements of the LLCAPCPRS or who fails to perform any duty imposed by the LLCAPCPRS shall be subject to a civil penalty of not more than ten thousand dollars (\$10,000) per day per violation.
  - (C) Paragraph (C) – Any person who knowingly and willfully fails to comply with the requirements of the LLCAPCPRS or who knowingly and willfully fails to perform any duty imposed by the LLCAPCPRS shall be subject to felony prosecution under Neb. Rev. Stat. §81-1508(f) including a fine of not more than ten thousand dollars (\$10,000) per day per violation, and up to a maximum six (6) month term of imprisonment.
  - (D) Paragraph (D) – Enforcement proceedings may include injunctive relief in court to restrain any violation that creates an imminent and substantial endangerment to the public health or to the environment.
- VIII. In accordance with LLCAPCPRS Article 1, Section 8 (Procedure for Abatement), if the Director has determined a violation of the Air Pollution Control Program after any hearing required hereunder or if the Director has probable cause to believe a violation has occurred, the Director shall refer the matter to the County Attorney.
- IX. In accordance with LLCAPCPRS Article 1, Section 9 (Severability), if any clause, paragraph, or section of the LLCAPCPRS shall be held invalid, it shall be conclusively presumed that the City and County would have enacted the remainder of the LLCAPCPRS not directly related to such clause, paragraph, or section.
- X. In accordance with paragraph (C) of LLCAPCPRS Article 2, Section 5 (Operating Permits – When Required), this operating permit is issued only for the emission units included in the approved permit application.



- XI. In accordance with LLCAPCPRS Article 2, Section 6 (Emissions Reporting – When Required), the owner/operator shall submit completed emission inventory forms for the preceding calendar year to the Department by March 31 of each year. The inventory shall include all emissions associated with the emission units included in the 'Permitted Source' for the purposes of this permit. The inventory form shall be certified in accordance with Condition XII(B).
- XII. The following provisions of LLCAPCPRS Article 2, Section 7 (Operating Permits – Application) are applicable requirements of this permit:
- (A) Paragraph (B)(6) – For purposes of permit renewal, a timely application is one that is submitted at least six (6) months prior to the date of permit expiration or such longer time as may be approved by the Director after notice to the owner/operator that ensures that the permit will not expire before the permit is renewed. In no event shall this time be greater than eighteen (18) months.
  - (B) Paragraph (H) – All reports and compliance certifications submitted shall contain certification by a responsible official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- XIII. The following provisions of LLCAPCPRS Article 2, Section 8 (Operating Permits – Content) are applicable requirements of this permit:
- (A) Paragraph (C)(1) – This permit is issued for a fixed term of five (5) years from the date of issuance.
  - (B) Paragraph (C)(2) – The conditions of an expiring permit shall continue until the effective date of a new permit, provided that the owner/operator has submitted a timely application, and the Director does not issue a new permit with an effective date before the expiration date of the previous permit.
  - (C) Paragraph (D)(2)(a) – The owner/operator shall maintain records of required monitoring information, which shall include the following:
    - (1) The date and place (as defined in permit), and time of sampling or measurements;
    - (2) The date(s) analyses were performed;
    - (3) The company or entity that performed the analyses;
    - (4) The analytical techniques or methods used;
    - (5) The results of such analyses; and
    - (6) The operating conditions existing at the time of sampling or measurement.
  - (D) Paragraph (D)(2)(b) – The owner/operator shall retain records of all required monitoring data and support information for a period of at least sixty (60) months from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit. The owner/operator shall also maintain all records required by the Specific Conditions of this permit for a period of at least sixty (60) months from the date of origin. These records shall be readily accessible and made available for inspection upon request by the Department.
  - (E) Paragraph (F) – The unchallenged permit requirements shall remain valid in the event of a challenge to any portions of the permit.

- (F) Paragraph (G)(1) – The owner/operator must comply with all conditions of the Class II permit. Any permit noncompliance shall constitute a violation of the LLCAPCPRS and the Act, and is grounds for enforcement action; permit termination, revocation and re-issuance, or modification; or for denial of a permit renewal application.
- (G) Paragraph (G)(2) – It shall not be a defense for an owner/operator in an enforcement action to claim that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
- (H) Paragraph (G)(3) – The permit may be modified; revoked, reopened, and reissued; or terminated for cause in accordance with the provisions of LLCAPCPRS. The filing of a request by the owner/operator for a permit modification, revocation and re-issuance, or termination, or of a notification of planned changes or anticipated noncompliance does not supersede any permit condition.
- (I) Paragraph (G)(4) – This operating permit does not convey any property rights of any sort, or any exclusive privilege.
- (J) Paragraph (G)(5) – The owner/operator shall furnish to the Department, within the time specified by the Department, any information requested by the Department in writing to determine whether cause exists for modifying, revoking and reissuing; or terminating the permit or to determine compliance with the permit. Upon request, the owner/operator shall also furnish to the Department, copies of records required to be kept in accordance with the permit or, for information claimed to be confidential, the owner/operator may furnish such records along with a claim of confidentiality pursuant to Neb. Rev. Stat. §84-712.05.
- (K) Paragraph (G)(6) – The owner or operator must maintain a copy of the permit application, including any supporting emission calculations or other related materials, on file at the location of the source or at the owner's or operator's main or corporate office.
- (L) Paragraph (G)(7) – The owner or operator must place a copy of the permit and of the letter of transmittal on file at the location of the source no later than fourteen (14) calendar days after the date of the letter of transmittal. A copy of the permit must also be placed on file at the owner's or operator's main or corporate office no later than thirty (30) calendar days after the date of the letter of transmittal.
- (M) Paragraph (J) – Conditions under which this permit may be reopened for cause, revoked and reissued, or terminated are as specified under Conditions XVI(D)-(E) of this permit.
- (N) Paragraph (L)(2) – Upon presentation of credentials and other documents as may be required by law, the owner/operator shall allow the Department, the Administrator, or an authorized representative to perform the following:
  - (1) Enter upon the permittee's premises at reasonable times where a source subject to a Class II operating permit is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
  - (2) Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
  - (3) Inspect at reasonable times any facilities, pollution control equipment, including monitoring and air pollution control equipment, practices, or operations regulated or required under the permit; and
  - (4) Sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

- (O) Paragraph (L)(3) – The source has indicated compliance with all applicable requirements, including the specific conditions of this permit, effective at the time of permit issuance, and shall continue to comply with these applicable requirements. The source shall meet all applicable requirements that become effective during the term of this permit in a timely manner unless a more detailed compliance schedule is expressly required by the applicable requirement.

XIV. The following provisions of LLCAPCRS Article 2, Section 11 (Emergency Operating Permits – Defense) are applicable requirements of this permit:

- (A) Paragraph (A) – For the purpose of a Class II operating permit, an “emergency” means any situation arising from sudden, unavoidable, and reasonably unforeseeable events beyond the control of the source, including acts of God, which requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.
- (B) Paragraph (B) – An emergency constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the conditions of paragraph (C) below are met.
- (C) Paragraph (C) – The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:
  - (1) An emergency occurred and that the owner/operator can identify the cause(s) of the emergency;
  - (2) The permitted facility was, at the time, being properly operated;
  - (3) During the period of the emergency, the owner/operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and
  - (4) The owner/operator submitted notice of the emergency to the Department within 2 working days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.
- (D) Paragraph (D) – In any enforcement proceeding, the owner/operator seeking to establish the occurrence of an emergency has the burden of proof.
- (E) Paragraph (E) – This provision is in addition to any emergency or upset provision contained in any applicable requirement.

XV. The following provisions of LLCAPCRS Article 2, Section 12 (Operating Permit Renewal and Expiration) are applicable requirements of this permit:

- (A) Paragraph (B) – The expiration of an operating permit terminates the source’s right to operate unless a timely and complete renewal application has been submitted consistent with LLCAPCRS Article 2, Section 7, paragraphs (B)-(C).
- (B) Paragraph (C) – The conditions of an expired operating permit shall continue until the effective date of a new permit, provided the permittee has complied with LLCAPCRS Article 2, Section 8, paragraph (C)(3), or until the application for a permit is denied. The Director shall deny the application for a permit if any of the following are true:

- (1) The permittee is not in substantial compliance with the terms and conditions of the expired permit, or with a stipulation, agreement, or compliance schedule designed to bring the permittee into compliance with the permit;
- (2) The Department, as a result of an action or failure to act on the part of the permittee, has been unable to take final action on the application on or before the expiration date of the permit; or
- (3) The permittee has submitted an application with major deficiencies or has failed to properly supplement the application in a timely manner after being informed of the deficiencies.

XVI. The following provisions of LLCAPCRS Article 2, Section 15 (Permit Modifications – Reopening for Cause) are applicable requirements of this permit:

- (A) Paragraph (A) – The owner/operator may request the Director to make an administrative permit amendment in writing by specifying the section of the permit that is to be changed and the reason for the change. The source may implement the changes addressed in the request immediately upon submittal of the request, subject to the Department's final action on the request. Administrative permit amendments include any permit revision that meet the criteria established in paragraphs (A)(1)(a)-(d) of Section 15.
- (B) Paragraph (C) – The owner/operator may request a minor permit modification consistent with the procedures set forth under paragraph (C) of Section 15, provided that the modification meets the criteria established in paragraphs (C)(1)(a)-(g) of Section 15.
- (C) Paragraph (E) – Any modification not meeting the administrative permit amendment criteria in paragraph (A) of Section 15, and/or the minor permit modification criteria in paragraph (C) of Section 15 shall be processed in accordance with the provisions for a significant permit modification established in paragraphs (E)(1)-(5) of Section 15
- (D) Paragraph (F)(1) – Conditions under which this permit may be reopened, revoked and reissued, or terminated during its term for cause, include but are not limited to:
  - (1) Additional applicable requirements under the Act or the LLCAPCRS, which become applicable to this source with a remaining permit term of three (3) or more years. Such reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions have been extended;
  - (2) Additional requirements, including excess emissions requirements that become applicable to an affected source under the acid rain program under Title IV of the Act;
  - (3) The Administrator determines that the permit must be revoked or reissued to assure compliance with the applicable requirements;
  - (4) The Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms and conditions of the permit; and
  - (5) The Administrator determines that an applicable requirement or applicable requirement under the Act applies which was not identified by the owner/operator in its application.

- (E) Paragraph (F)(2) – A permit may be revoked during its term for cause, including but not limited to:
    - (1) The existence at the facility of unresolved noncompliance with applicable requirements or a term or condition of the permit, and refusal of the owner/operator to agree to an enforceable schedule of compliance to resolve the noncompliance;
    - (2) The owner/operator has falsely certified or submitted false, incomplete, or misleading information to the Department or EPA;
    - (3) The Director determines that the permitted facility or activity endangers human health or the environment and that the danger cannot be removed by a modification of the permit; or
    - (4) The owner/operator has failed to pay a penalty owed pursuant to court order, stipulation and agreement, or order issued by the Administrator.
  - (F) Paragraph (G) – The owner/operator may make changes to a permitted facility without a permit revision if the change is not a modification under LLCAPCPRS Article 2, Sections 18, 23, 27, or 28, the change does not require a construction permit under LLCAPCPRS Article 2, Sections 17 or 19, and the change is allowed under the applicable provisions of paragraphs (G)(1) or (G)(2) of Section 15.
  - (G) Paragraph (H) – No permit revisions shall be required under any State-approved programs providing for economic incentives, marketable permits, emissions trading or other similar programs or processed for changes that are provided for in the permit.
- XVII. In accordance with paragraph (A) of LLCAPCPRS Article 2, Section 16 (Stack Heights – Good Engineering Practice), the degree of emissions limitation required of any source for control of any air pollutant shall not be affected by so much of any source's stack height that exceeds good engineering practice or by any other dispersion technique, except as provided in paragraph (B) of Section 16.
- XVIII. Construction Permits. In accordance with paragraph (A) of LLCAPCPRS Article 2, Section 17 (Construction Permits – When Required), no person shall cause the construction, reconstruction, or modification at any of the items specified in Article 2, Section 17 of the LLCAPCPRS without first having obtained a construction permit from the Department in the manner prescribed by the LLCAPCPRS.
- XIX. The following provisions of LLCAPCPRS Article 2, Section 20 (Particulate Limitations and Standards) are applicable requirements of this permit:
- (A) Paragraph (A) – The owner/operator shall limit the emissions of particulates from any processing machine, equipment, device or other articles, or any combination thereof to no greater than the amounts set forth in Table 20-2 of Section 20 during any one (1) hour.
  - (B) Paragraph (B) – The owner/operator shall limit the emissions of particulate matter caused by the combustion of fuel in accordance with the limits set forth in Table 20-1 of Section 20, as they apply based on heat input rating.
  - (C) Paragraph (E) – The owner/operator shall not cause or allow emissions from any emission point that are of opacity equal to or greater than twenty percent (20%), as evaluated by Method 9 in Appendix A of 40 CFR 60, or recorded by a continuous opacity monitoring system operated and maintained pursuant to 40 CFR Part 60 Appendix B, except as provided for in paragraph (D) of this condition.

- (D) Paragraph (F) – Emission sources subject to monitoring requirements of Article 2, Section 34, paragraph (E) of LLCAPCPRS are allowed to have one six-minute period per hour of not more than twenty-seven percent (27%) opacity. For the purpose of this permit, this exception applies to any unit equipped with a continuous opacity monitoring system (COMS) installed, calibrated, and operated in accordance with the procedures specified in 40 CFR Part 60 Appendix B.
- XX. In accordance with paragraph (A)(8) of LLCAPCPRS Article 2, Section 23 (Hazardous Air Pollutants – Emission Standards), the owner/operator shall comply with the asbestos removal requirements of 40 CFR Part 61, Subpart M if demolition or renovation operations are conducted in areas where asbestos is removed in quantities in excess of the applicable thresholds.
- XXI. In accordance with paragraph (A) of LLCAPCPRS Article 2, Section 24 (Sulfur Compound Emissions – Existing Sources – Emission Standards), the owner/operator shall not cause or allow emissions of sulfur oxides from any fossil fuel burning equipment in excess of two and one-half pounds per million British thermal units (2.5 lbs/MMBtu) input, maximum two (2) hour average.
- XXII. The following provisions of LLCAPCPRS Article 2, Section 32 (Dust – Duty to Prevent Escape Of) are applicable requirements of this permit:
- (A) Paragraph (A) – The source shall not cause or permit fugitive particulate matter to become airborne in such quantities and concentrations that it remains visible in the ambient air beyond the premise where it originates.
- (B) Paragraph (B) – The source shall not cause or permit a road, driveway, or open area to be used without applying all such reasonable measures to prevent particulate matter from becoming airborne so that it remains visible beyond the premises where it originates. Such reasonable measures include but are not limited to: paving or frequent cleaning of roads, driveways, and parking lots; application of water or chemical dust suppressants; and the planting and maintenance of vegetative ground cover.
- XXIII. The following provisions of LLCAPCPRS Article 2, Section 33 (Compliance – Time Schedule For) are applicable requirements of this permit:
- (A) Paragraph (A) – Except as otherwise noted in specific emission control regulations, compliance with the LLCAPCPRS shall be according to the schedule provided under paragraphs (A)(1)-(3) of Section 33.
- (B) Paragraph (B) – Compliance schedules requiring more than twelve (12) months to conform with applicable rules and regulations to meet National Primary and Secondary Ambient Air Quality Standards will be accomplished in progressive steps. A report will be made in writing to the Director within five (5) days after each step is completed.
- (C) Paragraph (C) – Failure to meet time schedules approved in accordance with paragraphs (A)(1)-(2) of Section 33 shall constitute a violation of the LLCAPCPRS unless a request to amend the time schedule is received at least thirty (30) days before the end of any specified period approved for a particular activity. Such a request to amend the schedule shall contain the same type of information as required for the initial request for variance as described in paragraph (A)(3) of Section 33.
- XXIV. The following provisions of LLCAPCPRS Article 2, Section 34 (Emission Sources – Testing and Monitoring) are applicable requirements of this permit:
- (A) Paragraph (A) – The Department may require any person responsible for the operation of an emission source to make or have tests made to determine the rate of contaminant emissions



from the source whenever it has reason to believe, on the basis of estimates of potential contaminant emissions rates from the source and due consideration of probable efficiency of any existing control device, or visible emission determinations made by an official observer, that existing emissions exceed the limitations required in the LLCAPCPRS. Such tests may also be required pursuant to verifying that any newly installed control device meets performance specifications. Should the Department determine that the test did not represent normal operating conditions or emissions, additional tests may be required. Such a requirement shall be considered as an order and subject to all administrative and legal requirements specified.

- (B) Paragraph (B) – Required tests shall be conducted in accordance the test methods and procedures established in paragraphs (B)(1)-(7) of Section 34.
- (C) Paragraph (C) – The owner or operator of a source shall provide notice to the Department at least thirty (30) days prior to testing to afford the Department an opportunity to have an observer present. The Department may, in writing, approve a notice of less than thirty (30) days. If the testing is pursuant to an underlying requirement contained in a federal rule, the notice provisions of the underlying requirement shall apply.
- (D) Paragraph (F) – The Director may require the owner or operator of any other emission source which is subject to the provisions of these regulations to install, use and maintain such stationary monitoring equipment as is required to demonstrate continuing compliance with any applicable emissions limitations, and to maintain records and make reports regarding such measured emissions to the Department in a manner and on a schedule to be determined by the Director.
- (E) Paragraph (H) – Notwithstanding any other provisions of LLCAPCPRS, the following methods may be used to determine compliance with applicable requirements:
  - (1) A monitoring method approved for the source and incorporated in an operating permit pursuant to LLCAPCPRS Article 2, Section 8;
  - (2) Any compliance test method specified in the State Implementation Plan (SIP);
  - (3) Any test or monitoring method approved for the source in a permit issued pursuant to LLCAPCPRS Article 2, Sections 17, 19, or 27;
  - (4) Any test or monitoring method provided for in the LLCAPCPRS; or
  - (5) Any other test, monitoring, or information gathering method that produces information comparable to that produced by any method described in paragraphs (1) through (4) of this condition.

XXV. The following provisions of LLCAPCPRS Article 2, Section 35 (Compliance – Exceptions Due to Startup, Shutdown, or Malfunction) are applicable requirements of this permit:

- (A) Paragraph (A) – Upon receipt of a notice of excess emissions issued by the Department, the owner/operator may provide information showing that the excess emissions were the result of a malfunction, start-up, or shutdown.
- (B) Paragraph (B) – The information provided by the source operator under paragraph (A) of this condition shall include, at a minimum, the information specified in paragraphs (B)(1)-(9) of Section 35.
- (C) Paragraph (C) – The owner/operator shall submit the information specified in paragraph (B) of this condition no later than fifteen (15) days after receipt of the notice of excess emissions.



- (D) Paragraph (D) – The owner/operator shall notify the Director, in writing, whenever a planned start-up or shut down may result in excess emissions. This notice shall be mailed, no later than ten (10) days prior to such action and shall include, but not be limited to, the information specified in paragraphs (D)(1)-(10) of Section 35.
- (E) Paragraph (E) – The owner/operator shall notify the Director, in writing, whenever emissions due to malfunctions, unplanned shutdowns or ensuing start-ups are, or may be, in excess of applicable emission control regulations for one hour or more. Such notification shall be mailed within forty-eight (48) hours of the beginning of each period of excess emissions and shall include, but not be limited to, the information required in paragraph (D) of Section 35.

- XXVI. In accordance with LLCAPCPRS Article 2, Section 37 (Compliance – Responsibility of Owner/Operator Pending Review by Director), application for review of plans or advice furnished by the Director will not relieve the owner or operator of a new or modified stationary source of legal compliance with any provision of the LLCAPCPRS, or prevent the Director from enforcing or implementing any provision of the LLCAPCPRS.
- XXVII. In accordance with LLCAPCPRS Article 2, Section 38 (Emergency Episodes – Occurrence and Control: Contingency Plans), if and when the Director declares an air pollution emergency episode as defined in Section 38, the source shall immediately take all applicable required actions listed in LLCAPCPRS Appendix I until the Director declares the air pollution episode terminated.
- XXVIII. The owner/operator shall comply with all applicable provisions of 40 CFR Part 82 – Protection of the Stratospheric Ozone. Affected controlled substances can be found in 40 CFR Part 82, Subpart A – Appendix A (Class I Controlled Substances) and Appendix B (Class II Controlled Substances). The following conditions are applicable requirements of this operating permit:
  - (A) The owner/operator shall comply with the standards for labeling of products containing ozone-depleting substances pursuant to 40 CFR Part 82, Subpart E:
    - (1) The following must bear the required warning statement if introduced into interstate commerce pursuant to §82.106:
      - (a) All containers in which a Class I or II substance is stored or transported;
      - (b) All products containing a Class I substance; and
      - (c) All products directly manufactured with a Class I substance.
    - (2) The placement of the required warning statement must comply with the requirements pursuant to §82.108.
    - (3) The form of the label bearing the required warning statement must comply with the requirements pursuant to §82.110.
    - (4) No person may modify, remove, or interfere with the required warning statement except as described in §82.112.
  - (B) The owner/operator shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioners (MVACs) in 40 CFR Part 82, Subpart B:
    - (1) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to §82.156.
    - (2) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to §82.158.
    - (3) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to §82.161.

- (4) Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with reporting and recordkeeping requirements pursuant to §82.166. ("MVAC-like appliance" as defined at §82.152)
- (5) Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to §82.156.
- (6) Owners/operators of appliances normally containing fifty (50) or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to §82.166.
- (C) If any person manufactures, transforms, imports, or exports a Class I or Class II substance at this source, the owner/operator shall ensure compliance with all requirements as specified in 40 CFR Part 82, Subpart A (Production and Consumption Controls).
- (D) If any person performs service on motor (fleet) vehicles at this source when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the MVAC, the owner/operator shall ensure compliance with all applicable requirements as specified in 40 CFR Part 82, Subpart B (Servicing of Motor Vehicle Air Conditioners). The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo, or system used on passenger buses using HCFC-22 refrigerant.
- (E) The owner/operator shall be allowed to switch from any ozone-depleting substance to any alternative that is listed in the Significant New Alternatives Program (SNAP) promulgated pursuant to 40 CFR Part 82, Subpart G (Significant New Alternatives Policy Program).

### **Specific Conditions**

XXIX. Minor Source Requirements. In accordance with LLCAPCPRS Article 2, Section 5, Paragraph (A), in order to operate as a 'minor' source of emissions, the owner/operator shall maintain compliance with the following requirements:

- (A) Emission Thresholds. In order to operate as a minor source, the owner/operator must maintain 'potential to emit' and actual emissions during any consecutive twelve (12) month period at levels less than the 'major source' thresholds set forth in Table 29-A, as follows:

**Table 29-A: Major Source Emission Thresholds**

Pollutant Name	Major Source Thresholds in Tons Per Year (tpy)
Particulate matter less than 10 micrometers in diameter (PM <sub>10</sub> )	< 100.0 tpy
Nitrogen oxides (NO <sub>x</sub> ) (calculated as nitrogen dioxide, or NO <sub>2</sub> )	< 100.0 tpy
Sulfur oxides including sulfur dioxide (SO <sub>2</sub> ), sulfur trioxide (SO <sub>3</sub> ), or any combination of the two	< 100.0 tpy
Volatile organic compounds (VOC)	< 100.0 tpy
Carbon Monoxide (CO)	< 100.0 tpy
Lead (Pb)	< 5.0 tpy
Individual Hazardous Air Pollutants (HAP)	< 10.0 tpy
Total Combined Hazardous Air Pollutants (HAP)	< 25.0 tpy

(B) Monitoring, Record Keeping, and Reporting Requirements.

- (1) Any limits on throughput/production and/or control equipment requirements set forth in this permit are designed to ensure that facility emissions remain at levels that are below the major source thresholds set forth in Table 29-A of this permit. By demonstrating compliance with all applicable limits and/or control requirements, the owner/operator shall remain a minor source of air emissions.
- (2) The owner/operator shall maintain all monitoring information and records in accordance with Conditions XIII(C)-(D) of this permit.
- (3) The owner/operator shall report emissions of all regulated pollutants to the Department in accordance with Condition XI of this permit.

XXX. Source-Wide Requirements. In accordance with LLCAPCPRS Article 2, Section 8, Paragraph (O) the owner/operator shall maintain compliance with the following:

(A) Operating Requirements, Throughput Limits, and/or Work Practice Standards.

- (1) The owner/operator shall limit the source-wide use of materials and/or production rates associated with the 'Permitted Source' in such a manner that the source maintains 'minor' source status as established in Condition XXIX of this permit.
- (2) The owner/operator shall operate all emission units associated with the 'Permitted Source' in accordance with the manufacturer's specifications. At all times to the extent practicable, the owner/operator shall maintain and operate all emission units and control devices associated with the 'Permitted Source' in a manner consistent with good air pollution control practice for minimizing emissions. This shall include periods of startup, shutdown, and malfunction. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Department which may include, but is not limited to, monitoring results, review of operating and maintenance procedures, and inspection of the source.
- (3) The owner/operator is subject to all elections specified in the approved application, and any emissions controls used shall be at a minimum those elected in Section 6 of the approved application (refer to Attachment A of this permit). The owner/operator may contact the Department to request or submit modifications to the approved application.

(B) Emission Limits and Emission Control Requirements.

- (1) Any emissions controls used shall be at a minimum those elected in Section 6 (refer to Attachment A of this permit) of the approved application or those required by an existing construction permit.
- (2) If a fabric filter dust collector (baghouse) is elected as a control device, operation of each fabric filter dust collector shall be in accordance with the following requirements:
  - (a) Each fabric filter dust collector shall be operated at all times during which the emission unit or equipment associated with the fabric filter dust collector is in operation.
  - (b) Each fabric filter dust collector shall be properly installed, operated, and maintained in accordance with the manufacturer's instructions, or equivalent instructions that have been approved by the Department. The instructions for each fabric filter dust collector shall be kept on-site and readily available to Department representatives.
  - (c) Fabric filter dust collector filter bags shall be inspected and/or replaced according to the manufacturer's recommendations or more frequently as necessary based on pressure differential indicator readings. The owner/operator shall maintain an

inventory of replacement filters on-site. The replacement filter inventory must be equal to or greater than ten percent (10%) of the total of all bags required for all fabric filter dust collectors at the source.

- (d) In accordance with Condition XXII, collected waste material from the fabric dust collectors shall not be handled, transported, or stored in a manner that may allow particulate matter to become airborne in such quantities and concentrations that it remains visible in the ambient air beyond the premises where it originates
- (C) Monitoring Requirements. For all emission control devices elected as a required emission control in Section 6 of the approved application (refer to **Attachment A** of this permit), the owner/operator shall perform the following:
- (1) The owner/operator shall conduct a weekly visual inspection of any and all devices along with and associated ductwork to determine whether there are excessive leaks, noise, malfunctioning cleaning mechanisms, or other indications of poor performance requiring corrective action.
  - (2) For weekly periods during which the respective emission unit(s) is not operated, the owner/operator shall not be required to conduct visual inspections of the collector and associated ductwork.
  - (3) Each fabric filter dust collector shall be equipped with an operational pressure differential indicator. The owner/operator shall perform an observation of the pressure differential indicator at least weekly during periods when the associated fabric filter dust collector is operating.
  - (4) In the event that a visual inspection indicates the need for corrective action, initial attempts at repairs shall be effected within twenty-four (24) hours. If repairs cannot be completed within the twenty-four (24) hour period, the owner/operator shall apply for a variance to the Department.
- (D) Record Keeping Requirements. The owner/operator shall maintain all required records in accordance with the requirements set forth in Conditions XIII(C)-(D) of this permit. The following conditions establish the record keeping requirements for this permit:
- (1) Throughput records of all materials at this source, including amounts received, processed, and shipped, as applicable. Throughput records shall be updated at least monthly.
  - (2) The vehicle miles traveled shall be based on concrete production as recorded by the owner/operator, combined with roadway lengths established at the time of the permit application. The owner/operator shall maintain a copy of the permit application as support for all roadway emission calculations.
  - (3) If the owner/operator has elected to use a control device in Section 6 of the approved permit application (refer to **Attachment A** of this permit), the owner/operator shall keep records as follows:
    - (a) For each fabric dust collector, the owner/operator shall maintain the following records shall to demonstrate ongoing compliance with paragraph (B)(2) and applicable provisions of paragraph (C) of this condition:
      - (i) Records of all inspections required under paragraphs (C)(1)-(3) of this condition, as well as any maintenance performed pursuant to paragraph (C)(4) of this condition.

- (ii) Records of pressure differential indicator observations, including the date and time when performed, and the name of the individual who performed the observation.
  - (iii) Records of filter replacements including filter position, type, and the date of filter installation.
  - (iv) Records documenting equipment failures, malfunctions, or other variations, including time and duration of occurrence, as well as what remedial action(s) were taken and the time when remedial action(s) was completed.
- (E) Reporting Requirements. The owner/operator shall report the following on an annual basis in accordance with the reporting requirements set for in Condition XI of this permit.
  - (1) Throughput of all materials received, handled, processed (if applicable), and shipped during the previous calendar year.
  - (2) The amount of material processed through the equipment associated with the control device(s) while control device(s) was inoperative.
  - (3) Instances of failure(s) of any required emission control devices (refer to Attachment A of this permit), if applicable, and the amount of material processed through the equipment associated with the control device(s) while the control device was inoperative.
  - (4) Any modifications to the source during the previous calendar year, including changes that occur in the distance travelled on paved or unpaved roads by trucks and/or front end loaders of changes or replacements in processing or control equipment.
- (F) Other Requirements.
  - (1) Any control or monitoring equipment that may be necessary for compliance with the LLCAPCPRS or any similar requirements of the Federal EPA shall be installed within the time period or by the date specified in the applicable rule or regulation.
  - (2) The owner/operator shall make no modifications to the equipment covered by this permit that could potentially affect emissions of air contaminants without the written approval of the LLCHD. This condition also applies to any changes made during installation that alter the plans/specifications presented in the permit application.
  - (3) Any modification of the operational documents must have prior approval from the Department. The source shall provide all necessary information to validate the modification, including, but not limited to, additional engineering, modeling, and ambient air quality studies.


**END OF PERMIT CONDITIONS**

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## Attachment A

The following table has been incorporated from Section 6 of the owner/operator's approved application, and has been incorporated here to reference emission units associated with this source, as well as to incorporate throughput limits and/or emission control requirements elected by the source as requirements of this permit.

 <b>Air Quality Permit Application Form - Grain Elevators/Feed Mills</b> Lincoln-Lancaster County Health Department Air Quality Program									
<b>SECTION 6 – SOURCE CLASS &amp; PERMIT DETERMINATION</b>									
<b>Part F: Table 6-A – Source-Elected Throughput Limits and Emission Control Requirements</b>									
<i>In the table below, indicate which emission units you will either accept throughput limits on, or to which you will agree to apply control equipment.</i>									
Emission Unit #	SCC Code	Agree to Throughput Limit?	Maximum Annual Throughput	Annual Throughput Limit	Throughput Units	Agree to Emission Controls?	Control Device ID	Control Type	If 'Other', Specify Type
<b>Grain Receiving Emission Units</b>									
1-1	3-02-005-52	No	324,993		bushels/yr	No			
1-2	3-02-005-52	No	324,993		bushels/yr	No			
1-3	3-02-005-52	No	129,997		bushels/yr	No			
1-4	3-02-005-52	No	519,989		bushels/yr	No			
<b>Elevator Leg Emission Units</b>									
2-1	3-02-005-30	No	584,988		bushels/yr	No			
2-2	3-02-005-30	No	129,997		bushels/yr	No			
2-3	3-02-005-30	No	584,988		bushels/yr	No			
<b>Grain Shipping Emission Units</b>									
3-1	3-02-005-60	No	259,995		bushels/yr	No			
3-2	3-02-005-60	No	259,995		bushels/yr	No			
3-3	3-02-005-60	No	129,997		bushels/yr	No			
3-4	3-02-005-60	No	129,997		bushels/yr	No			
3-5	3-02-005-60	No	129,997		bushels/yr	No			
3-6	3-02-005-60	No	389,992		bushels/yr	No			
<b>Haul Road Emission Units</b>									
4-1	A22-96-000-000		778.39		VMT/yr	No			
<b>Grain Storage Emission Units</b>									
5-1	3-02-005-40		1.30E+06		bushels/yr	No			
<b>Grain Cleaning Emission Units</b>									
<b>Grain Drying Emission Units</b>									
<b>Grain Milling - Grain Cracking Emission Units</b>									
<b>Grain Milling - Grain Grinding Emission Units</b>									
<b>Grain Milling - Hammermilling Emission Units</b>									
<b>Grain Milling - Grain Flaking Emission Units</b>									
<b>Grain Milling - Pellet Cooling Emission Units</b>									
<b>Miscellaneous Emission Units</b>									

***There are no emission units listed for these emission unit groups in the approved application.***

## Attachment B

### Applicable Federal Regulations

Federal regulations examples that owner/operator may be subject to:

40 CFR Part 63: Subpart CCCCCC	NESHAP MACT for Source Category: Gasoline Dispensing Facilities
(1)	The owner/operator shall limit combined gasoline throughput associated with all on-site gasoline storage tanks to less than 120,000 gallons during any consecutive 12-month period.
(2)	The owner/operator shall comply with the requirements in §63.11116. <ul style="list-style-type: none"><li data-bbox="240 695 1490 1024">(a) The owner/operator shall not allow gasoline to be handled in a manner that results in vapor releases to the atmosphere for extended periods of time. Measures to be taken include, but are not limited to, the following:<ul style="list-style-type: none"><li data-bbox="345 806 716 837">(i) Minimize gasoline spills.</li><li data-bbox="345 842 971 873">(ii) Clean up spills as expeditiously as practicable.</li><li data-bbox="345 877 1490 947">(iii) Cover all open gasoline containers and all gasoline storage tank fill-pipes with a gasketed seal when not in use.</li><li data-bbox="345 951 1490 1024">(iv) Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators.</li></ul></li><li data-bbox="240 1029 1490 1171">(b) The owner/operator is not required to submit the reports and notifications set forth in §63.11125, §63.11126, or 40 CFR 63, Subpart A, but the owner/operator shall have records available within twenty-four (24) hours of a request from LLCHD to document gasoline throughput.</li><li data-bbox="240 1176 1490 1243">(c) Portable gasoline containers that meet the requirements of 40 CFR 59, Subpart F are considered acceptable for compliance with paragraph (2)(a)(iii) of this condition.</li></ul>